

LAW OFFICE OF DANIEL MARKS  
DANIEL MARKS, ESQ.  
Nevada State Bar No. 002003  
[office@danielmarks.net](mailto:office@danielmarks.net)  
ADAM LEVINE, ESQ.  
Nevada State Bar No. 004673  
[alevine@danielmarks.net](mailto:alevine@danielmarks.net)  
610 South Ninth Street  
Las Vegas, Nevada 89101  
(702) 386-0536; FAX (702) 386-6812  
*Attorneys for Plaintiff*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

JAMES LESCINSKY, individually and on  
behalf of all similarly situated employees,

Case No.:

Plaintiff,

v.

**COMPLAINT**

CLARK COUNTY SCHOOL DISTRICT,  
A political subdivision,

**JURY TRIAL DEMANDED**

Defendant.

Plaintiff JAMES LESCINSKY, by and through undersigned counsel, Daniel Marks, Esq. and Adam Levine, Esq. of the Law Office of Daniel Marks, hereby demand a trial by jury and for his Causes of Action against the above-named Defendant allege as follows:

1. At all times material hereto Plaintiff James Lescinsky was a resident of Clark County, Nevada and was employed as a post-probationary police officer with the Clark County School District (“CCSD”) Police Department and was an employee within the meaning of 29 U.S.C. §203(e).

2. At all times material hereto Defendant Clark County School District was a political subdivision of the State of Nevada and an employer within the meaning of 29 U.S.C. §203(d).

1           3.       The United States District Court has jurisdiction pursuant to 28 U.S.C. §1331 as this  
2 action is brought pursuant to the Fair Labor Standards Act, 29 U.S.C. §201 et seq.

3           4.       Police Officers are nonexempt employees under the Fair Labor Standards Act.

4           5.       As a Police Officer employed by the Clark County School District, Plaintiff frequently  
5 works overtime (i.e. more than 40 hours per week) providing security/police coverage for Adult  
6 Education and/or attending school functions such as athletic events and other nonacademic functions.

7           6.       Plaintiff is entitled to be paid time and one half for overtime worked.

8           7.       Despite the fact that Plaintiff works overtime, the Clark County School District does not  
9 pay Plaintiff's overtime compensation on his regular payday when it is due. Instead, Clark County  
10 School District pays the overtime compensation several pay periods later.

11          8.       Clark County School District's failure to pay overtime compensation when it is due on  
12 Plaintiff's regular payday is willful.

13          9.       There are scores of other Police Officers employed by the Clark County School District  
14 who likewise do not receive the overtime compensation they are due on their regular paydays and  
15 Plaintiff intends to pursue this as a collective action on behalf of all similarly situated Police Officers  
16 pursuant to pursuant to section 216(b) of the FLSA, 29 U.S.C. §216(b).

17       WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

18          1.       For all unpaid overtime compensation due and owing as of the filing of this Complaint;

19          2.       For liquidated damages in an amount equal to the unpaid compensation overtime  
20 compensation owed to the Plaintiff which were not received on the Plaintiff's regular  
21 payday;

22          3.       For interest due on all unpaid compensation and/or liquidated damages;

23       ///

24       ///

1           4.     For attorney's fees and litigation costs incurred;

2           5.     And for such other and further relief as the Court Deems Just and Proper.

3     DATED this 11th day of February, 2020.

4                                   LAW OFFICE OF DANIEL MARKS

5                                   / s / Adam Levine, Esq. .

6                                   DANIEL MARKS, ESQ.

7                                   Nevada State Bar No. 002003

8                                   [office@danielmarks.net](mailto:office@danielmarks.net)

9                                   ADAM LEVINE, ESQ.

10                                  Nevada State Bar No. 004673

11                                  [alevine@danielmarks.net](mailto:alevine@danielmarks.net)

12                                  610 South Ninth Street

13                                  Las Vegas, Nevada 89101

14                                  (702) 386-0536: FAX (702) 386-6812

15                                  Attorneys for Plaintiff

16

17

18

19

20

21

22

23

24